

CHAPTER 174
HB 225 – FINAL VERSION

05/23/13 1147s

2013 SESSION

13-0320
03/10

HOUSE BILL **225**

AN ACT relative to the rulemaking authority of the liquor commission.

SPONSORS: Rep. C. McGuire, Merr 29; Rep. Ulery, Hills 37; Rep. Sad, Ches 1; Rep. Jones,
Straf 24

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill revises the rulemaking authority of the liquor commission.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 174
HB 225 – FINAL VERSION

05/23/13 1147s

13-0320
03/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the rulemaking authority of the liquor commission.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 174:1 Liquor Commission; Rulemaking. RSA 176:14 is repealed and reenacted to read as
2 follows:

3 176:14 Rulemaking. The commission shall adopt rules, under RSA 541-A, relative to:

4 I. Procedures for regular and special meetings of the commission.

5 II. Procedures for responses to petitions on rulemaking.

6 III. Methods of complying with requests for information under RSA 91-A, including copying
7 fees sufficient to cover the cost of copies.

8 IV. Declaratory ruling procedures.

9 V. Procedures for handling petitions from municipalities to revoke a liquor license.

10 VI. Listing and delisting products for sale.

11 VII. Liquor licenses, including:

12 (a) Requirements and restrictions for each type of license.

13 (b) Procedures and forms to apply for or renew a license.

14 (c) Safekeeping of licenses.

15 (d) Authorized expansion of a licensed facility and procedures for authorization.

16 (e) Procedures to approve exceptions of license requirements, restrictions, and
17 limitations.

18 (f) Training and continuing education required or recommended for licensees.

19 VIII. Licensee operations, including:

20 (a) Procedures for on-premises and off-premises licensees to purchase wines and liquor.

21 (b) Credit and billing procedures, including fees for late payment.

22 (c) Bailment requirements, including fees.

23 (d) Restrictions on packaging, promotions, signage, and operating hours.

24 (e) Relations between types of licensees.

25 (f) Procedures for public sampling of liquor, wine, or beverages pursuant to RSA 179:44.

26 (g) Collection of additional fees required under RSA 178:6, VI, RSA 178:8, IV, and
27 RSA 178:26.

28 IX. Requirements and procedures for direct shipments.

29 X. Any other matters necessary to implement their duties under this title. As a condition of

CHAPTER 174
HB 225 – FINAL VERSION
- Page 2 -

1 the commission invoking its rulemaking authority under this paragraph, the liquor commission shall
2 provide a written report detailing the necessity for the proposed rule as set forth in the rulemaking
3 notice, to include any fiscal impact or policy implications related to the adoption of the proposed rule,
4 to the chairpersons of the house and senate executive departments and administration committees,
5 the chairpersons of the house and senate standing committees with jurisdiction over revenue
6 collection, the joint legislative committee on administrative rules, and the chairperson of the fiscal
7 committee of the general court.

8 174:2 Effective Date. This act shall take effect upon its passage.

9 Approved: July 2, 2013

10 Effective Date: July 2, 2013